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WAYNE BERRY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;	)	Civ. No. CV03 00385 SOM-LEK
	)	(Copyright)
Plaintiff-Appellant,	)	
	)	
vs.	)	
	)	
HAWAIIAN EXPRESS SERVICE,	)	
INC., a California corporation; H.E.S.	)	
TRANSPORTATION SERVICES,	)	
INC., a California corporation;	)	
CALIFORNIA PACIFIC	)	
CONSOLIDATORS, INC., a	)	<b>Ninth Circuit Court Rule 3-2</b>
California corporation; JEFFREY P.	)	<b>Representation Statement</b>
GRAHAM and PETER SCHAUL,	)	
California citizens; MARK DILLON	)	
and TERESA NOA, BRIAN	)	
CHRISTENSEN, Hawaii citizens;	)	
FLEMING COMPANIES, INC., an	)	
Oklahoma corporation; C & S	)	
LOGISTICS OF HAWAII, LLC, a	)	
Delaware LLC; C & S WHOLESALE	)	
GROCERS, INC., a Vermont	)	
corporation;	)	

C & S ACQUISITIONS, LLC; )  
 FOODLAND SUPER MARKET, )  
 LIMITED, a Hawaii corporation; )  
 HAWAII TRANSFER COMPANY, )  
 LIMITED, a Hawaii Corporation, )  
 RICHARD COHEN, a New Hampshire )  
 citizen ES3, LLC, a Delaware Limited )  
 Liability Company, MELVIN PONCE, )  
 SONIA PURDY, JUSTIN )  
 FUKUMOTO, AFREDDA )  
 WAIOLAMA, JACQUELINE RIO, )  
 Hawaii citizens; JESSIE GONZALES, )  
 LUIZ RODRIGUES, AL PEREZ and )  
 PATRICK HIRAYAMA , California )  
 citizens; GUIDANCE SOFTWARE, )  
 LLC, a California, LLC; MICHAEL )  
 GURZI, a California citizen; ALIX )  
 PARTNERS, LLC, a Delaware LLC; )  
 DOE INDIVIDUALS 2-350; DOE )  
 PARTNERSHIPS, CORPORATIONS )  
 and OTHER DOE ENTITIES 2-20, )  
 )  
 )  
 Defendants-Appellees. )  
 \_\_\_\_\_ )

### **Ninth Circuit Court Rule 3-2 Representation Statement**

Pursuant to Ninth Circuit Court Rule 3-2, Plaintiff-Appellant Wayne Berry,  
 an individual, hereby identifies all parties to the action, along with the named  
 addresses of their respective counsel:

I. List of Parties

- a. Wayne Berry, Plaintiff-Appellant.
- b. HAWAIIAN EXPRESS SERVICE, INC., a California corporation; H.E.S. TRANSPORTATION SERVICES, INC., a California corporation; CALIFORNIA PACIFIC CONSOLIDATORS, INC., a California corporation; JEFFREY P. GRAHAM and PETER SCHAUL, California citizens; MARK DILLON and TERESA NOA, BRIAN CHRISTENSEN, Hawaii citizens; FLEMING COMPANIES, INC., an Oklahoma corporation; C & S LOGISTICS OF HAWAII, LLC, a Delaware LLC; C & S WHOLESALE GROCERS, INC., a Vermont corporation; C & S ACQUISITIONS, LLC; FOODLAND SUPER MARKET, LIMITED, a Hawaii corporation; HAWAII TRANSFER COMPANY, LIMITED, a Hawaii Corporation, RICHARD COHEN, a New Hampshire citizen ES3, LLC, a Delaware Limited Liability Company, MELVIN PONCE, SONIA PURDY, JUSTIN FUKUMOTO, AFREDDA WAIOLAMA, JACQUELINE RIO, Hawaii citizens; JESSIE GONZALES, LUIZ RODRIGUES, AL PEREZ and PATRICK HIRAYAMA, California citizens; GUIDANCE SOFTWARE, LLC, a California, LLC; MICHAEL GURZI, a California citizen; ALIX PARTNERS, LLC, a Delaware LLC

Defendants, Appellees.

II. List of Attorneys and Represented Parties

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DATED: Honolulu, Hawai'i, June 21, 2006.

  
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